

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**COUNTY OF OSWEGO INDUSTRIAL
DEVELOPMENT AGENCY,**

Plaintiff,

-v-

5:05-CV-926

**FULTON COGENERATION ASSOCIATES, LP.,
LIONS CAPITAL MANAGEMENT, LLC, aka LION
CAPITAL MANAGEMENT, LLC, FIMAB,
PROMENEUR & HAUSMANN, INC., EL PASO
MERCHANT ENERGY-PETROLEUM COMPANY.,
and ANR VENTURE FULTON COMPANY,**

Defendants.

**ORDER TO SHOW CAUSE
WITH TEMPORARY STAY OF ACTION**

Upon the Declaration of Daniel B. Berman, Esq., dated July 7, 2006, with annexed exhibit:

Let all interested parties show cause before this Court by telephone conference on July 21, 2006, at 3:00 p.m. before the Honorable Norman A. Mordue, Chief Judge, United States District Court, why an Order should not be issued pursuant to Local Rule 83.2 granting the motion of Hancock & Estabrook, LLP to withdraw as attorneys for Fulton Cogeneration Associates, LP, Lions Capital Management, LLC, a/k/a Lion Capital Management, LLC, and Fimab, Promeneur & Hausmann, Inc.; staying the within action for a specified period to permit said defendants to obtain substitute counsel; and granting such other and further relief as to the Court may seem just and proper.

Any papers in response to the motion shall be filed and served on or before July 19, 2006.

And it is hereby

ORDERED that until further order of the Court, all proceedings in this action are stayed, and the temporary restraining order in the Order to Show Cause of June 20, 2006, as extended and modified by the June 26, 2006 Letter Request "So Ordered" by this Court on June 27, 2006, shall remain in full force and effect; and it is further

ORDERED that service of a copy of this Order to Show Cause and the papers upon which it is granted upon Robert B. Liddell, Esq., Stephen R. Buckingham, Esq., Heather P. Behnke, Esq., and Sheri L. Moreno, Esq., by electronic filing; and upon defendants Fulton Cogeneration Associates, LP., Lions Capital Management, LLC, a/k/a Lion Capital Management, LLC, and Fimab, Promeneur & Hausmann, Inc., via e-mail and federal express overnight delivery to Dr. Hausmann Banet, Lion Capital Management Group, 825 Van Ness Avenue, Suite 302, San Francisco, CA 94109, on or before July 12, 2006, shall be deemed good and sufficient service.

IT IS SO ORDERED.

July 11, 2006
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge